

## ARTICLE 52-04

### SPECIAL MOTOR VEHICLES

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#### CHAPTER 52-04-01 GENERAL CONSIDERATIONS

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**52-04-01-01. Scope.** Vehicles constructed, reconstructed, or modified shall comply with all provisions of North Dakota Century Code chapter 39-21 and any other applicable provision of North Dakota Century Code title 39, unless specifically excepted. The requirements of this article shall not supersede the original and unaltered design, construction, or equipment standards of motor vehicles manufactured by a recognized manufacturer.

**General Authority:** NDCC 39-02-03

**Law Implemented:** NDCC 39-02-03

**52-04-01-02. Definitions.** The terms used throughout this article have the same meaning as in North Dakota Century Code title 39, except:

1. "Recognized manufacturer" means a manufacturer of motor vehicles intended for use on the public roadways and for distribution and sale in interstate commerce.
2. "Recognized manufacturer or assembler" means every fabricator of a special vehicle assembled in its entirety as a complete product for use on the public roadways.
3. "Special motor vehicles" means those passenger vehicles and trucks with an unladen weight of six thousand pounds [2,721.55 kilograms] or less equipped with two or more axles having at least two wheels per axle, and which are intended for use on public highways. The term "special motor vehicle" includes the following types:
  - a. Type I - Those vehicles which are restored to or retain their original configuration but which may contain changed steering, brake, power train, or suspension systems.

- b. Type II - Those vehicles changed from the recognized vehicle manufacturer's original body configuration but which retain the general appearance, including changes to the body chassis or engine of the original vehicle. This type may also include changes and modifications to engine, chassis, brake system, power train, steering, and suspension systems.
- c. Type III - Other than type I and type II special vehicles, those vehicles custom built with fabricated parts, or parts taken from existing vehicles.

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**52-04-01-03. Manufacturer's certification.** The manufacturer or assembler of a special vehicle (type I, II, III) shall provide a certification of fact that the vehicle is designed and manufactured for use on the public roadway and complies with the performance and equipment requirements of this article. Nothing contained in this article shall preclude the motor vehicle registrar from requiring a certificate of inspection to ensure compliance with the standard.

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